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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

DENNIS HART AND RON MILLER,

Plaintiffs,

v.

CITY OF ALAMEDA,

Defendant.

Case No.: C 07-05845 MMC

**STIPULATION TO CONTINUE CASE  
 MANAGEMENT CONFERENCE AND  
~~PROPOSED~~ ORDER**

STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE AND PROPOSED ORDER

IT IS HEREBY STIPULATED AND AGREED by Plaintiffs and Defendant, through their respective counsel, that the September 18, 2009 Case Management Conference should be continued for approximately sixty (60) days to give the parties additional time to attempt to resolve this matter, given that the Court's ruling on the parties' cross-motions for partial summary judgment has decided the key legal issues. The parties participated in a settlement conference on August 18, 2009, and anticipate further discussions in and through the month of September. At that time, the parties will be in a better position to identify whether the parties have reached a resolution, whether the intervention of a third party or additional discovery is appropriate to facilitate resolution, or whether the parties intend to proceed to trial with the remaining claims.

Date: August 20, 2009

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Alison Berry Wilkinson  
Attorney for Plaintiffs

Date: August 20, 2009


/ s /

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Ian P. Fellerman  
Attorney for Defendant

### ORDER

Pursuant to Stipulation of the parties, the Court hereby Orders that the Case Management Conference scheduled for September 18, 2009 is continued to November 20, 2009 at 10:30 a.m., with an updated Joint Case Management Statement to be filed by the parties seven days prior thereto.

September 3, 2009  
Date: ~~August 20~~, 2009

  
MAXINE CHESNEY  
United States District Court Judge